



Governor's Advisory Council for Exceptional Citizens (GACEC) 516 West Loockerman St., Dover, DE 19904
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August 29, 2019

Nicole Cunningham
Planning, Policy & Quality Unit
Division of Medicaid & Medical Assistance
1901 N. DuPont Hwy. P.O. Box 906
New Castle, DE 19720-0906

RE: DSS Proposed Regulation on TANF and GA Eligibility – Income Exclusion [23 DE Reg. 93 (August 1, 2019)]

Dear Ms. Cunningham:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Health and Social Services (DHHS)/Division of Social Services (DSS) proposal to revise sections of the DSS Manual regarding income exclusions for the Temporary Assistance for Needy Families (TANF) and General Assistance (GA) programs. TANF and GA provide minimal cash assistance to low-income individuals and families. The proposed changes are meant to improve formatting and consolidate different lists of income exclusions under one policy. Council would like to share the following observations.

First, Council would suggest DSS expand their policy by allowing more types of income exclusions and clarifying existing income disregards. For instance, DSS should consider adding a policy of excluding small gifts from counting as income for TANF and GA recipients. Under the federal regulations (45 C.F.R. §233.20(a)), states have the option to disregard small, nonrecurring gifts of up to \$30 per recipient in any quarter. The federal regulations anticipate that recipients may receive small gifts of money for occasions such as Christmas, birthdays, and graduations.

Second, the DSS policy on income exclusions should cross-reference DSSM 4005.1, which explains that the first \$50 of child support received in a month is disregarded in determining financial eligibility for TANF. The proposed list of income exclusions does not include any information on child support payments and the \$50 income disregard.

Thank you for your consideration of our comments. Please contact me or Wendy Strauss at the GACEC office if you have any questions.

Sincerely,

Ann C Fisher

Ann C. Fisher
Chairperson

ACF:kpc